IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21020 of 2008
ARUN KUMAR GUPTA
Versus
THE STATE OF BIHAR
---

3 14.7.2008 Heard learned counsel for the petitioner, the A. P. P. representing the State and the counsel appearing on behalf of the informant.

The petitioner apprehends his arrest on being made accused in a case under sections 376/34 and 363 of the penal Code.

Learned counsel for the petitioner submits that the petitioner is an elected member of the District Board and has falsely been implicated in this case by Ramchandra Sah, the Mukhiya who wanted to purchase a piece of land which was purchased by the present petitioner. It is alleged that the petitioner was implicated in thiscase within six months after the execution of the sale deed. Learned counsel further submits that the medical report does not support the factum of rape and the case has been lodged after three days of the occurrence.

WEB COPY NOT OFFICIAL

While referring to the report of the Dy.S.P. it has been stated that the Dy. S. P. has found that the petitioner has been implicated in this case due to the land dispute. On the other hand the witnesses were examined by the I. O. who supports the case of the prosecutrix.

The submission made on behalf of the petitioner and the grounds taken are good for regular bail. Therefore, I am not inclined to grant anticipatory bail to the petitioner. This petition for anticipatory bail is dismissed and the provisional bail granted to the petitioner vide order, dated 2. 6. 2008 is hereby cancelled.

haque **(Sheema Ali Khan, J.)**

WEB COPY
NOT OFFICIAL